

REMARKS/ARGUMENTS

The Declaration, filed on August 7, 2002, stands objected to because it does not indicate the date the Declaration was signed by one of the inventors. This information was inadvertently omitted. An additional Declaration is enclosed with this Response that has been signed and dated by inventor, Wayne Hays. The first Declaration was signed and dated by the other inventors. As such, Applicants respectfully request that the objection to the Declaration be withdrawn.

A second objection has been put forth in the Office Action, under numbered paragraph 2, related to the requirements of 37 CFR 1.33(a). Applicants respectfully submit that all requirements of Rule 1.33(a) have been met. A correspondence address for the application was provided in the Utility Application Transmittal form, upon filing the application, and the Declaration (including the Declaration filed herewith) includes the complete residence address for each inventor. Accordingly, Applicants request that the objection be withdrawn.

The Office Action identifies several inconsistencies between the drawings and the specification of the application. In particular, the Office Action correctly points out that the specification references Fig. 5 not parts 5A-5C, Figs. 15A-15B not parts 15C-15E, and Figs. 16A-16G not parts 16H-16N. In addition, the Office Action identifies that Figs. 19A-19H are missing from the formal figures filed on January 9, 2003 and that elements of Figure 20 described in the specification are not included in the Figure. Applicants thank the Examiner for pointing out these inadvertent errors.

As mentioned above, in the section titled "Amendments to the Drawings", Applicants filed formal figures on January 9, 2003 that were intended to replace the informal drawing figures originally filed with the application on December 26, 2001. In doing so, additional drawing sheets were required to render informal Figs. 5, 15A-15B, and 16A-16G into formal

figures. To maintain consistency, formal drawing sheets making up original Fig. 5 were marked 5A-5C, formal drawing sheets making up original Figs. 15A-15B were marked 15A-15E, and so on. With this Response, in the section above titled "Amendments to the Specification", Applicants have amended the specification to maintain consistency between the description of the invention and the Figure numbering of the drawing sheets. No new matter has been added. Applicants respectfully request that this objection be withdrawn.

As mentioned above, formal drawing sheets were inadvertently omitted for Figures 19A-H. Informal drawing sheets, however, were submitted for these Figures when the application was filed. Applicants apologize for any confusion this error may have caused and file herewith formal drawing sheets for Figures 19A-19H. For the convenience of the Examiner, Applicants have enclosed a complete set of formal drawing sheets, each of which has been labeled, pursuant to Rule 121, Replacement Sheet.

Turning now to Figure 20 (formerly Figure 19), Applicants submit with this Response, pursuant to Rule 121, a marked-up drawing sheet labeled "Annotated Marked-up Drawing" reflecting amendments made to the Figure. With the addition of formal drawing Figures 19A-19H, Applicants have amended the identification of the Figure to reflect its new status as Figure 20. Moreover, Applicants have amended the reference numerals in the Figure (e.g., now 2001, 2002, 2010, 2020) to avoid duplication with the reference numerals used in Fig. 6. The detailed description of the invention has also been amended to include these new reference numerals.

The drawings also stand objected to for failing to show "the incident code searchable by the database". The Office Action makes several objections to the use of this term in the claims. Applicants have removed this term from the new claims submitted with this Response, even though reference to an 'incident code' is shown in Figure 15A. Nevertheless, it should be appreciated that the database of the present invention, as claimed, may be configured to be

searchable by numerous types of information, including but not limited to an incident code, event code, etc. Moreover, whether denoted as an 'event code' or an 'incident code', the purpose of such data, if used with a particular implementation of the invention, is to categorize a security related occurrence, e.g., robbery, injury, burglary, lost child, larceny, spills, keys locked in car, vandalism, assault, etc. The descriptive term used for such an identifier is not important.

To sum, no new matter has been added to the drawings. For the aforementioned reasons, Applicants respectfully request that the 'Replacement Sheets' enclosed with this Response be accepted, and the objections to the drawings be withdrawn.

Although not objected to, the Abstract has been amended, pursuant to Rule 72, so that it does not exceed 150 words in length.

Claims 4, 23, and 24 stand rejected under 35 USC 112 for various informalities noted in the Office Action. Claims 1-24 have been canceled and replaced with new claims 25-48 provided in the section above titled 'Listing of Claims'. New claims 25-48 are believed to be free from the noted informalities, thus rendering the rejections moot. New claims 25, 36, and 44 are independent claims.

Prior to being canceled, claims 1 and 5 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,920,856 (hereafter 'Syeda-Mahmood'), and claims 1-2, 4, 6-9, 11-12, 15, 17-19, and 21-24 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,173,284 B1 (hereafter 'Brown'). For the purpose of advancing the prosecution of the application, Applicants provide the following comments with respect to the new independent claims.

Conventional approaches to providing security services utilize paper driven processes. Traditionally, for example, a security officer providing security services at a client location and prepares a written daily report summarizing the services and events of a given day. This

conventional approach to providing security services delays a client's access to such reports, and makes it difficult and costly for the client to maintain copies of the reports for later use. Moreover, analysis of the information is limited when presented in written form. The claims of the present invention recite electronic, Internet driven processes for providing improved security services.

Independent claim 25 now recites that a database of information is capable of data communication, via the Internet, with at least one security officer computer installed at a client location and that the database is maintained by:

receiving security data from the at least one security officer computer, via the Internet, wherein the security data is entered into the at least one security officer computer by at least one security officer providing security services at the client location, and the security data corresponds with at least one security related event occurring at the client location.

Moreover, claim 25 recites that maintaining the database includes hosting the database so that the information stored therein is Internet accessible. In particular, claim 25 recites:

hosting the database so that at least a portion of the information stored therein is Internet accessible by the at least one client, wherein the at least one client accesses the information in the database by providing an authorization code to a website that permits restricted access to at least a subset of the information stored in the database.

A review of the claims reveals that these concepts are echoed in independent claims 36 and 44.

Contrary to the claimed features of the present invention, Syeda-Mahmood teaches a network server that comprises a meta-database, a search agent, and a refining module. These features are illustrated in Figures 1 and 2. Syeda-Mahmood provides only a generic description of a particular database configuration. Syeda-Mahmood does teach or suggest many of the claimed features of the present invention. For example, Syeda-Mahmood does not teach or suggest receiving security data, via the Internet, from a security officer computer located at a client location. Moreover, Syeda-Mahmood makes no mention of having the security data

correspond with security related events occurring at the client location. Syeda-Mahmood does not teach or suggest updating the database with the security data and hosting the database so that at least a portion of the information in the database is Internet accessible by providing an authorization code to a website.

As set forth in MPEP § 2131, a claim is anticipated under 35 U.S.C. § 102(b) only if each and every element as set forth is found, either expressly or inherently described, in a single prior art reference. Syeda-Mahmood fails to show or teach at least the aforementioned features recited by independent claim 25. Moreover, for essentially the same reasons, Applicants submit that independent claims 36 and 44 are patentably distinct from Syeda-Mahmood. Therefore, for at least this reason, independent claims 25, 36, and 44 and the claims depending thereon should be allowed.

Referring to Brown, Brown teaches a system for monitoring police records for predefined crime profiles and for notifying a police officer, or group of police officers, when a match occurs. (Col. 2:46-49). Unlike the claims of the present invention, Brown teaches a limited system that is only available to police officers. For example, in Figure 1 of Brown, “the system 10 comprises a user interface module 12 that receives query information from a police officer that defines a search query for a crime profile.” (Col. 5:44-46). A database procedure performs a search, and if a match occurs, a notification message is sent to the police officer or a group of police officers. (Col. 5:49-57). The purpose of the system described in Brown is to “shift the burden of identification of crime-related problems from the police officer to a computer-based system” (Col. 5:60-62).

Unlike Brown, the independent claims of the present invention include receiving security data from at least one security officer providing security services at a client location. The security data corresponds with security related events occurring at the client location. The

database of the present invention is populated with the security data and is made available, via the Internet, to at least one client that enters an authorization code to access at least a portion of the information. Brown does not teach or suggest these features. Instead, Brown is directed to “an improved system of monitoring police records.” (Col. 2:40-41).

Referring back to MPEP § 2131, a claim is anticipated under 35 U.S.C. § 102(e) only if each and every element as set forth is found, either expressly or inherently described, in a single prior art reference. Brown fails to show or teach the aforementioned features recited by independent claim 25, 36, and 44. Therefore, the independent claims and the claims depending thereon should be allowed.

The Office Action rejected claim 10 (now canceled) under 35 USC 103(a) as being unpatentable over Brown in further view of U.S. Publication No. US 2004/0024634 (hereafter Carp). Applicants respectfully submit that Carp is not prior art to the present invention. Carp’s filing date, May 7, 2003, and its publication date, February 5, 2004, occurred after the priority date of the present invention, December 27, 2000.

The Office Action also included two additional rejections under 35 USC 103(a). These additional rejections referenced a combination of Brown and Syeda-Mahmood, and also, a combination of Brown and U.S. Patent No. 6,538,623 (hereafter Parnian). With regard to new claims 25-48, Applicants submit that, contrary to MPEP § 2143, the Office has failed to make out a *prima facie* case of obviousness in that the Office has (1) failed to cite references that teach or suggest all of the elements recited in the rejected claims; (2) failed to show or cite where in the prior art there is a suggestion or motivation to combine the references; (3) failed to show or cite where in the prior art there exists a reasonable expectation of success to combine reference teachings.

As described, Brown and Syeda-Mahmood, taken separately or together fail to teach or suggest many of the claimed features of the present invention. Syeda-Mahmood includes a generic description of a database configuration that utilizes a central “meta-database”. Brown describes a system for monitoring police records that is accessible only by police officers. Accordingly, the combination of Brown and Syeda-Mahmood fails to satisfy even the first hurdle required to make out a *prima facie* case of obviousness. That is, Brown and Syeda-Mahmood fail to teach or suggest all the elements of the independent claims of the present invention.

Referring now to the second requirement to make out a *prima facie* case of obviousness, Section 2143 of the MPEP requires that the teaching or suggestion to combine references must be found in the prior art, not in the Applicant’s disclosure. Section 2143 states that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. The mere fact that a reference may be modified in the direction of the claimed invention does not make the modification obvious unless the reference expressly or impliedly teaches or suggests the desirability of the modification. In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984).

There is no motivation found in Brown or Syeda-Mahmood for the proposed combination. Moreover, without the benefit of Applicants’ disclosure, there is no motivation or suggestion in the prior art to combine the references. Thus, Applicants respectfully submit that the ordinarily skilled artisan would have had no motivation to modify the references as suggested by the Office.

Turning to the combination of Brown and Parnian, Parnian adds little or nothing to teach or suggest the elements of the present invention not found in Brown. Parnian teaches a wearable and mobile multi-media data collection tool kit for creating an electronic investigation record.

Parnian does not teach or suggest receiving security data from at least one security officer providing security services at a client location. Parnian does not teach or suggest populating a database with the security data and making the database available, via the Internet, to at least one client that enters an authorization code to access at least a portion of the information. Therefore, as was the case for the combination of Brown and Syeda-Mahmood, the combination of Brown and Parnian fails to satisfy the first hurdle required to make out a *prima facie* case of obviousness.

As described for the proposed combination of Brown and Syeda-Mahmood, there is no motivation found in the references or the prior art for the Brown and Parnian combination. Instead, the Office Action impermissibly uses Applicants' disclosure as a roadmap for piecing together the references. A "determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art...." ATD Corp. v. Lydall, Inc., 159 F.3d 534, 546, 48 USPQ2d 1321, 1329 (Fed. Cir. 1998). Neither, Brown, Syeda-Mahmood, nor Parnian suggest the desirability of the combinations proposed by the Office.

For these reasons, Applicants respectfully submit that new independent claims 25, 36, and 44, and dependent claims 26-35, 37-43, and 45-45, depending thereon, respectively, should be allowed.

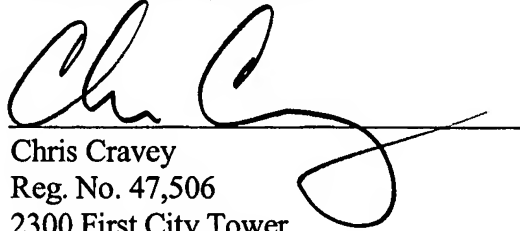
CONCLUSION

Applicants believe this reply to be fully responsive to all outstanding issues and places this application in condition for allowance. Reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned attorney at 713-758-2572 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Chris Cravey', is written over a horizontal line.

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Attachments



Annotated Marked-up
Drawing

~~41/41~~

49/49

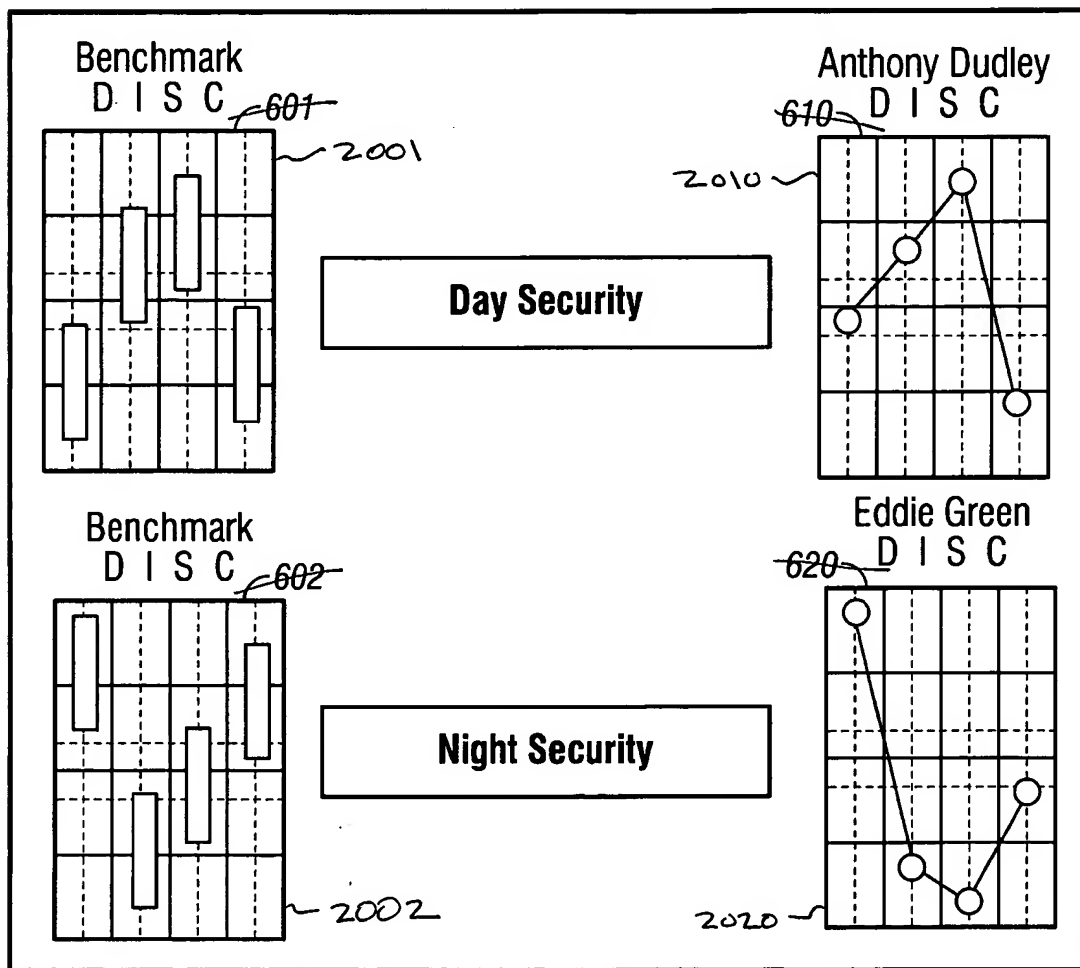


FIG. 19 20